IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5915 of 2007()

CMP.3338/2007 of J.M.F.C.-II, CHENGANNUR

.....

: PETITIONER - ACCUSED NO.1 (A1)

MOHANAN, AGED 39 YEARS, @ MONACHAN,
S/O.RAGHAVAN, VANJIPUZHETTU LAKSHAM VEEDU
COLONY, VANAVATHUKKARA MURI,
THIRUVANVANDOOR VILLAGE.

BY ADV. SRI.K.JAYARAJ

RESPONDENTS: COMPLAINANT

KERALA STATE REPRESENTED BY EXCISE
INSPECTOR, EXCISE RANGE OFFICER,
CHENGANNUR, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5915 of 2007

Dated this the 1st day of October, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. He faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 2 litres of spirit on 2.9.07. He continues in custody from that date. The learned Public Prosecutor points out that the petitioner has two other crimes, both registered under the Kerala Abkari Act also against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 08.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-